Right of Action for Malicious Injury to Business.—An attempt is made to base an action on a rather peculiar state of facts in Arnold *v.* Moffitt, 75 Atlantic Reporter, 502. It was alleged that plaintiff was an electrical contractor, licensed by an insurance association, and that defendant was employed by the insurance association as an inspector of work done by the contractors; that defendant maliciously delayed making proper inspections, ordered defendant to do unnecessary work, and used his influence to induce a customer to contract with another electrical company; also that he represented to one of plaintiff's clients that prices charged were excessive; that all these things were unjust and discriminatory, actuated by malice, and injurious to plaintiff's business. The Rhode Island Supreme Court held that whether there was malice on the part of defendant made no difference; that there was nothing to show that his acts were illegal, and that no cause of action was stated.

Powers of States to Regulate Interstate Ferries.—In the case of New York Cent. & H. R. R. Co. *v.* Board of Chosen Freeholders, 74 Atlantic Reporter, 954, the New Jersey Court of Errors and Appeals passed upon the question whether, under the interstate commerce clause of the federal Constitution, the state has power to regulate charges of ferries for carriage of passengers across the Hudson river between New York and New Jersey. It was contended, on behalf of the railroad company which operated the ferry, that recent decisions of the Supreme Court of the United States had substantially settled the question against the claim of power on behalf of the state. In a somewhat lengthy opinion these decisions are reviewed by Judge Reed, who comes to the conclusion that none of the cases cited directly prohibit the exercise of power to regulate charges by the states. On the question of whether such a holding would logically follow, he refers to the opinion of Lord Chancellor Halsbury in Quinn *v.* Leathem, A. C. 495, to the effect that "every lawyer must acknowledge that the law is not always logical at all." The right of regula-

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Gilbert *v.* Isham, 16 Conn. 525; for fines and forfeitures collected by him and not paid into the treasury, People *v.* Warren, 14 Ill. App. 296; for clerk's fees accruing in the course of suits for fines, and forfeitures upon recognizances, unless such fees are in fact collected by him. People *v.* Van Wyck, 4 Cow. 260 (1828), Fairlie *v.* Maxwell, 1 Wend. 17; and for money actually received or money lost by his unwarrantable neglect, but he is not liable for the default, inattention or frauds of the marshal. United States *v.* Ingersoll, Fed. Cases, No. 15, 440 (Crabbe 135).

He is not liable for failure to cause a default and judgment of forfeiture to be entered upon the recognizance of bail where a defendant fails to appear. State *v.* Egbert, 123 Ind. 448, 24 N. E. 256, 257.

Nor is he liable to a contestant for an office for refusing to join him as a party plaintiff. Farrar *v.* Steele, 31 La. Ann. 640.

tion was therefore upheld. Justices, Gummere, Parker, Bergen, Vorhees, and Gray, dissenting.

Every Man His Own Lawyer.—Whether plaintiff was a subscriber to some publication which purported to lay down the law in terms so plain that he who runs may read does not appear; but certain it is that Mr. Hall, of somewhere in Iowa, decided to carry on his own litigation without the services of an attorney, as appears from the report of the decision of the Iowa Supreme Court in Hall *v.* Chicago, B. & Q. R. Co., 124 Northwestern Reporter, 1073. His petition stated, in substance, that he had had considerable litigation with defendant, which it had defended at great cost, which would eventually have to be paid by himself and other members of the general public by reason of increased rates, and prayed that the legal department of the railroad company be restrained from carrying on such litigation in disregard of the rights of plaintiff and of the general public. It is scarcely necessary to say that a demurrer to the petition was sustained.

Conflicting Jurisdiction of Federal and State Courts.—The recurring question of the conflicting jurisdiction of the federal and state courts is again discussed by the Supreme Court of the United States in McClellan *v.* Carland, United States District Judge, 30 Supreme Court Reporter, 501. It appeared that the Circuit Court of the United States for the District of South Dakota, having an action before it to determine the interest of the complainants in a certain estate on which issue had been joined, on the application of the state of South Dakota, refused to permit it to intervene to set up its right to the property of the estate on the claim that decedent died without legal heirs, and stayed the proceedings before it until the state could bring an action in the state court to determine such rights. In making such an order the Supreme Court holds that the circuit court was in error because, as the record showed, it had acquired jurisdiction, and the issues were made up when the state intervened, and it practically turned the case over for determination to the state court. This it had no authority to do, and the Circuit Court of Appeals, on the record before it showing such fact, should have issued mandamus to require the judge of the Circuit Court to show cause why he did not proceed to hear and determine the case.